THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.16399 of 2007

DATED : 20-08-2007

Between :

Nakka Parvathi, W/o. Prasad,
Ganganamma Kodu, Akiveedu,
West Godavari District.

…Petitioner.

AND

The Station House Officer,
Dhone Police Station,
Kurnool District and 2 others.

…Respondents.

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ORAL ORDER : (per the Hon'ble Sri Justice D.Appa Rao)

Heard learned Assistant Government Pleader, representing the learned Advocate General appearing for the respondents.

2. This writ petition is taken up on the basis of a telegram, dated 26-07-2007, sent by one Smt. Nakka Parvathi, for production of her

husband and his cousin brother viz., Nakka Prasad and Nakka Hari, respectively, who were illegally detained by the Sub-Inspector of Police and Circle Inspector of Police,
Dhone Police Station, on 20-07-2007 at Dhone and apprehending danger to their lives.

3. The third respondent – Sub-Inspector of Police, Palakol Police Station, West Godavari District, filed counter affidavit,
inter alia, stating that when the alleged detenus were moving suspiciously, Crime Nos.167 and 168 of 2007 for the offence under Section 41 (2) of Criminal Procedure Code (Cr.P.C.) of Palakol Town Police Station, were registered. Later they were arrested on
29-07-2007 and produced before the Mandal Executive Magistrate, Palakol, along with the charge sheet, who inturn treated the same as M.C.No.17 of 2007 and passed orders under Section 109 of Cr.P.C., for keeping good behaviour for six months and released both the detenus on 29-07-2007 itself on furnishing personal bonds for Rs.500/- each. The material papers showing release of the alleged detenus on personal bond were annexed to the counter.

4. In view of the above said fact that the alleged detenus have already been released by the learned Mandal Executive Magistrate on furnishing personal bonds, we do not see any ground whatsoever to continue the writ petition any further. There are no merits in the writ petition and the same is liable to be dismissed.

5. Accordingly, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

JUSTICE D.S.R.VARMA

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JUSTICE D.APPA RAO

20-08-2007
Msr.

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(Msr)